



# SUMNER COUNTY COMMISSION

355 N. Belvedere Drive  
Gallatin, Tennessee 37066-5410

## Legislative Committee

Jeremy Mansfield, Chairman  
David Klein, Vice-Chairman  
Robert B. Brown III  
Darrell Rogers  
Matthew Shoaf  
Jamie Teachenor  
Merrol Hyde, Commission Chairman

## Commissioners

*Terry Moss- 1*

*Terry Wright- 2*

*Mark Harrison- 3*

*Dillon Lamberth- 4*

*Darrell Rogers- 5*

*David Klein- 6*

*Danny Sullivan- 7*

*Baker Ring- 8*

*Mary Genung- 9*

*Benjamin A. Harris 10*

*Kevin Pomeroy- 11*

*Deborah Holmes- 12*

*Terri Boyt- 13*

*Jamie Teachenor- 14*

*J. Wes Wynne- 15*

*Jeremy Mansfield- 16*

*Robert B Brown III- 17*

*Don Schmit- 18*

*Shannon Burgdorf- 19*

*Merrol Hyde- 20*

*Jerry F. Becker- 21*

*Matthew Shoaf- 22*

*Tim Jones- 23*

*Chrissi S. Miller- 24*

## AGENDA LEGISLATIVE COMMITTEE

5:30 p.m.

June 12, 2023

Jeremy Mansfield, Chairman

1. **Call to Order**
2. **Invocation**
3. **Approval of Agenda**
4. **Approval of minutes of May 8, 2023**
5. **Recognition of the Public**
6. **Report of the Chairman**
7. **Report of the County Mayor**
8. **Old Business**
  - a. Resolution requesting the General Assembly preserve the fundamental right of Tennesseans to keep and bear arms (attached)
9. **New Business**
  - a. Veterans' service report and presentation (attached)
  - b. Accepting the bond for Scott Langford- Superintendent of Schools (attached)
  - c. Resolution ratifying private act (Private Chapter 29), prohibiting eminent domain for greenways (attached)
  - d. Resolution for Interim Appointment for Director or Department Head Vacancy (attached)
  - e. Discussion – EMS Lawn Maintenance Contracts
  - f. Discussion – ECC Interlocal Agreement funding compliance (attached)
10. **Commission Recognition**
  - a. Coach Daniel Brooks- retirement
  - b. Honoring Merrol Hyde Magnet School Boys' Tennis Team – State Champs
  - c. Honoring Merrol Hyde Magnet School Boys' Soccer Team
  - d. Proclamation for Homeownership and Affordable Housing



# SUMNER COUNTY COMMISSION

355 N. Belvedere Drive  
Gallatin, Tennessee 37066-5410

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## 11. Zoning

### a. **257 ALLEN ROAD- ASSIGNMENT OF COUNTY ZONING TO DEANNEXED**

**PARCEL-** Sumner County is recommending a zoning classification of Rural Residential (RR) to subject property due to de-annexation from the City of Goodlettsville, Tennessee. Request is being made pursuant to **Chapter** 17, Section 1705 of the Sumner County Zoning Resolution. Subject property is located at **257 Allen Road, Goodlettsville, Tennessee, 37072**, is Tax Map 139, Parcel 098.01, and contains 5.44 acres. Property is currently located in the City of Goodlettsville, but is set to be formally deannexed effective 9/9/2023. **Second Reading**

b. **LIBERTY FARM- REZONING-** Applicant is seeking a rezoning from Planned Unit Development (PUD) to Rural Residential (RR). Subject property is located at Liberty Lane and Upper Station Camp Creek Road, Gallatin, Tennessee, 37066, is Tax Map 124, Parcel 007.03, contains 23.59 acres and is zoned Planned Unit Development (PUD). This item was deferred at the March 28, 2023, Planning Commission meeting. **Second Reading**

### c. **PC RESOLUTION 2023-01 AND PC RESOLUTION 2023-02-**

PC Resolution 2023-01: Amending requirements at Chapter 4, Section 404 of the County Zoning Resolution related to Variable Lot Sizes.

PC Resolution 2023-02: Amending requirements at Chapter 10, Section 1005 of the County Zoning Resolution related to Finished Floor Elevation (FFE) Provisions for Flood Hazard Reduction. **Second Reading**

### d. **SOMERSET DOWNS, PHASE 7, LOT 106- PUD MAJOR PLAN AMENDMENT-**

Applicant is seeking a Major Plan Amendment of an existing PUD, for the purpose of creating 5 buildable lots. Subject property is located at 1010 Luxborough Drive, is Tax Map 123J, Group E, Parcel 037.00, contains 3.92 acres and is zoned Planned Unit Development (PUD). **First Reading**

## 12. Adjournment

**MINUTES  
LEGISLATIVE COMMITTEE  
JEREMY MANSFIELD, CHAIRMAN  
MAY 8, 2023**

**Present:**

David Klein, Vice-Chairman  
Robert B. Brown III  
Merrol N. Hyde, Commission Chairman  
Darrell Rogers  
Matthew Shoaf  
Jamie Teachenor

**Absent:**

Jeremy Mansfield, Chairman

**Also Present:**

John C. Isbell, County Mayor  
Eric Sitler, Law Director  
Steve Weiner, Staff Attorney  
Jennifer Mitchell, minute taker

Vice-Chairman David Klein brought the regular scheduled Legislative Committee meeting to order with an invocation by Comm. Teachenor on Monday, May 8, 2023, at 5:35 p.m. Vice-Chairman Klein declared a quorum present to conduct business.

3. Approval of Agenda. Commission Chairman Hyde requested the addition of Daniel Brooks to Commission Recognition as item 10c. Comm. Teachenor requested the addition of the Westmoreland Boys' and Girls' basketball teams to Commission Recognition. Without objection, Vice-Chairman Klein removed item 8a and moved item 9b to next month's meeting. Upon motion of Comm. Brown, seconded by Comm. Shoaf, the Committee voted unanimously to approve the agenda, as amended.

4. Approval of minutes of April 10, 2023. Upon motion of Comm. Rogers, seconded by Comm. Teachenor, the Committee voted unanimously to approve the minutes of April 10, 2023.

5. Recognition of the Public.

Kevin Baigert of 424 AB Wade Road, Portland spoke in favor of Planning Commission resolutions, feels it is a good start.

Tracy Finegan of 737 Shun Pike, Cottontown asked the Committee to override the veto. She also spoke to previous flood events at the Draper House property.

Penny Wicker of 221 Bugg Hollow Road, Gallatin stated she would like more open and honest communication. Would like to know the vision for the rural areas.

Charlena Aumiller of 143 Ruland Circle, Hendersonville spoke against the County keeping the Draper House and is opposed to giving property to non-profit. She also spoke against override of veto. She also asked for the grant contract to be provided and back up information of costs.

Wayne Padgett of 279 Bursby Branch Road, Cottontown spoke in favor of the Mayor's veto.

6. Report of the Chairman. No report

7. Report of County Mayor. No report

8. Old Business.

- a. EMS Operations Resolution. – Removed from the agenda
- b. Approving oversight of Judicial Magistrate Program from County Mayor to County Law Director.

Comm. Shoaf moved, seconded by Comm. Teachenor, to approve and forward to full Commission. The motion carried unanimously.

- c. Veto to override Resolution 2304-12 (attached).

Comm. Shoaf moved, seconded by Comm. Brown, to discuss. The motion carried unanimously.

Vice-Chairman Klein stated that based on the numbers he received from Finance Director David Lawing and Grants Administrator Kim Norfleet the cost difference is \$13,511.00 more if properties are removed from FEMA grants.

County Mayor John Isbell stated he looked at the projects separately.

After further discussion, Comm. Shoaf moved, seconded by Comm. Brown, to override the veto. The motion carried unanimously.

9. New Business.

- a. Veterans' service report (attached for info only). No action taken

Director of Veterans' Services Jeff Oakey gave brief overview of the attached Veterans' Service report and activities of the office.

- b. Resolution requesting that the General Assembly of the State of Tennessee preserve the fundamental right of Tennesseans to keep and bear arms (attached). - Moved to next month's meeting
- c. Resolution for the review of any county contracts \$1,000.00 or more (attached).

Comm. Shoaf moved, seconded by Comm. Brown, to discuss. The motion carried unanimously.

Comm. Shoaf moved, seconded by Comm. Brown, to approve.

Comm. Shoaf moved to amend to add or is price has not been indicated or in consideration not given and to add a clause at the end to intervene in any contract at the direction of the Legislative Body. Comm. Brown agreed to the amendment. The Committee voted unanimously to approve and forward to full Commission as amended.

#### 10. Commission Recognition.

- a. Hayden Baker – Eagle Scout
- b. Honoring Chief Marty bowers for 30 years of service
- c. *Daniel Brooks*
- d. *Westmoreland Boys' basketball team*
- e. *Westmoreland Girls' basketball team*

Comm. Shoaf moved, seconded by Comm. Teachenor, to group and approve items 10a through 10e. The motion carried unanimously.

#### 11. Zoning.

- a. 257 Allen Road – Assignment of County Zoning to De-annexed Parcel – Sumner County is recommending a zoning classification of Rural Residential ® to subject property due to de-annexation from the City of Goodlettsville, Tennessee. Request is being made pursuant to Chapter 17, Section 1705 of the Sumner County Zoning Resolution. Subject property is located at 257 Allen Road, Goodlettsville, Tennessee, 37072, is Tax Map 139, Parcel 098.01, and contains 5.44 acres. Property is currently located in the City of Goodlettsville, but is set to be formally de-annexed effective 9/9/2023. First Reading.

Comm. Brown moved, seconded by Comm. Rogers, to suspend the rules to allow Development Services Director Josh Suddath to speak.

Mr. Suddath stated the City of Goodlettsville received a letter stating the states annexation policy wasn't followed several years ago. The City of Goodlettsville adopted a resolution to de-annex the parcel.

- b. Liberty Farm – Rezoning – Application is seeking a rezoning from Planned Unit Development (PUD) to Rural Residential (RR). Subject property is located at Liberty Lane and Upper Station Camp Creek Road, Gallatin, Tennessee, 37066, is Tax Map 124, Parcel 007.03, contains 23.59 acres and is zoned Planned Unit Development (PUD). This item was deferred at the March 28, 2023 Planning Commission meeting. First Reading.
- c. PC Resolution 2023-1 and PC Resolution 2023-02 – PC Resolution 223-01: Amending requirements at Chapter 4, Section 404 of the County Zoning Resolution related to Variable Lot Sizes. PC Resolution 2023-02: Amending requirements at Chapter 10, Section 1005 of the County Zoning Resolution related to Finished Floor Elevation (FFE) Provisions for Flood Hazard Reduction. First Reading.

Docketing purposes; no action needed.

12. Adjournment. Vice-Chairman Klein declared the meeting adjourned at 6:25 p.m. upon motion of Comm. Teachenor, and seconded by Comm. Shoaf.

Prepared by Jennifer Mitchell



## NOTES OF DECISIONS (1)

Veto powers

West's Tennessee Code Annotated  
Title 5. Counties

## § 5-6-107. Powers; veto

TN ST § 5-6-107 West's Tennessee Code Annotated Title 5. Counties Effective: July 10, 2015 (Approx. 2 pages)

**Effective: July 10, 2015**

T. C. A. § 5-6-107

**§ 5-6-107. Powers; veto**

Currentness

(a)(1) The county mayor has the power of veto with respect to resolutions of the county legislative body.

(2) Such veto shall apply only to legislative resolutions and shall not apply to resolutions in which the legislative body is exercising administrative or appellate authority.

(b)(1) Every resolution shall be submitted to the county mayor.

(2) If the county mayor signs it, the resolution shall become effective immediately or at a later date if the resolution so provides.

(3) If the county mayor vetoes the resolution, the county mayor shall return it to the county legislative body for action on the county mayor's veto, in which case it shall become effective only upon subsequent passage by a majority of all the members comprising the county legislative body.

(4) Such passage must take place within twenty (20) days of receiving the county mayor's message of veto or at the next regular meeting of the county legislative body, whichever is later.

(5) If the county mayor fails either to sign or to veto a resolution and to report the county mayor's action to the county legislative body within ten (10) days after the resolution is submitted to the county mayor, the resolution shall become effective without the county mayor's signature upon the expiration of the ten-day period or at a later date if the resolution so provides.

(c) The veto may not be exercised with respect to specific items or parts of items in the annual county budget, and may only be exercised with respect to the whole.

(d)(1) This section shall not be applicable to counties of Class 1 as established by § 8-24-101, that have comparable provisions in special or private acts establishing a veto power in the county mayor.

(2) This section shall not be applicable in any county in which the county mayor is elected as chair of the county legislative body as provided in § 5-5-103.

(3) This section shall be applicable in counties having a population of not less than twelve thousand three hundred fifty (12,350) nor more than twelve thousand three hundred

seventy-five (12,375), by the federal census of 1970 or any subsequent federal census.

(4) This section shall be applicable in counties having a population of not less than thirty-eight thousand eight hundred (38,800) nor more than thirty-eight thousand nine hundred (38,900), by the federal census of 1970 or any subsequent federal census.

#### Credits

1978 Pub.Acts, c. 934, § 18; 1979 Pub.Acts, c. 53, § 2; 1988 Pub.Acts, c. 981, § 1.

Formerly § 5-607.

#### Notes of Decisions (1)

T. C. A. § 5-6-107, TN ST § 5-6-107

Current with laws from the 2023 Regular Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.



**A RESOLUTION APPROVING THE OVERSIGHT OF THE JUDICIAL  
MAGISTRATES PROGRAM FROM COUNTY MAYOR TO COUNTY LAW  
DIRECTOR**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of May 2023, that this body hereby approves the oversight of the judicial magistrate program from the County Mayor to the County Law Director.

Kew Barge

424 AWADE RD

Tracy Finegan

~~415~~ 737 Shun Rice

Penny W. Wier

221 Buss Hill Rd.

Charlene Ann Miller

143 Ruland Cr

Wayne ~~Baker~~ Padgett

Cottontown 277 Bucky  
Branch  
Road

**A RESOLUTION REQUESTING THAT THE GENERAL ASSEMBLY OF THE STATE  
OF TENNESSEE PRESERVE THE FUNDAMENTAL RIGHT OF TENNESSEANS TO  
KEEP AND BEAR ARMS**

**WHEREAS**, the Second Amendment to the U.S. Constitution reads as follows “**A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed**”; and

**WHEREAS**, the Second Amendment of the United States Constitution was incorporated against the states in 2010 by the U.S. Supreme Court in **McDonald v. Chicago** 561 U.S. 742 (2010), reinforcing its earlier decision in **District of Columbia v. Heller** 554 U.S. 570 (2008) emphasizing the individual right of citizens to keep and bear arms; and

**WHEREAS**, the United States Supreme Court held in *New York State Rifle and Pistol Ass’n, v. Bruen*, 142 S.Ct. 2111 (2022) that conduct covered by the Second Amendment is presumptively protected from government regulation and that the burden is on government to identify a law having a national historical tradition that existed as of 1791 in order to arguably justify any such regulation; and

**WHEREAS**, self-defense and self-preservation are individual, inalienable rights bestowed by God to all people; and

**WHEREAS**, so-called "Red Flag Laws," also called "Extreme Risk Protection Orders" or "Orders of Protection," hereinafter collectively “Red Flag Laws” are in violation of and repugnant to the United States Constitution, specifically to the Second and Fourteenth Amendments, because such laws 1) deprive citizens of the right to self-defense, 2) violate the due process doctrine by depriving a citizens of property and self-defense based on presumptions, accusations, or a prediction of future behavior of a person, 3) unfairly punish and infringe, without a criminal conviction, the constitutionally protected right of citizen(s) to keep and bear arms, and 4) have no basis in the national historical tradition of the states as of 1791 as required by the United States Supreme Court in its *Bruen* holding..

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Commission meeting this 26th day of June 2023 as follows:

**SECTION 1:** That the General Assembly of the state of Tennessee is urged to reject any type or category of proposed Red Flag Laws, including that currently proposed by Governor Bill Lee, and any other category of law that 1) infringes on the God-given right of Tennesseans to self-defense, 2) infringes on the fundamental rights of citizens to keep and bear arms, for any lawful purpose, as such right is expressly protected by the Second Amendment, 3) deprives citizens of the right to keep and bear arms based on presumptions, accusations, or a prediction of future behavior of a person, 4) requires an individual by court order to submit to a mental health evaluation for the purpose of establishing a basis for seizing the individual’s right to purchase or possess firearms, or 5) punishes citizens by infringing on their rights to keep and bear arms absent the existence of a constitutionally **recognized** basis for doing so that is consistent with the Second Amendment and the United States Supreme Court’s *Bruen* holding.

**SECTION 2:** That the General Assembly of the State of Tennessee impose a condition on all proposed legislation which may in any manner adversely impact or infringe the rights protected under the broadest interpretation of the Second Amendment that the sponsors of such proposal thoroughly establish in the preamble thereof the existence of a specific law or analogue which existed as of 1791 as part of the national historical tradition of firearms regulation in accordance with the threshold requirements set forth by the United States Supreme Court in *Bruen*.

**SECTION 3:** That the General Assembly of the state of Tennessee focus on the root cause of violent crime, the person, and not an inanimate object, and that the General Assembly focus on or improve existing laws, such as Emergency Involuntary Committals, to identify those who are a medical determined immediate threat of suicide or homicide and to provide those individuals with constitutionally appropriate medical intervention, assessment and treatment to identify and treat conditions that may lead to violent crime, suicide or homicide.

**SECTION 4:** That the Sumner County Board of County Commissioners specifically finds any red flag type laws at odds with Sumner County's status as a Second Amendment Sanctuary County (Resolution 2002-03).

**SECTION 5:** That the Sumner County Board of County Commissioners hereby directs that no county funds shall be appropriated or expended for the purpose of infringing on the public's Second Amendment rights, including but not limited to enforcement of Red Flag laws.

**SECTION 6:** That the Sumner County Board of County Commissioners hereby directs that no county department or official is authorized to seek funding from public or private resources for the purpose of infringing on the public's Second Amendment rights, including but not limited to enforcement of Red Flag laws.

**SECTION 7:** That upon approval and signing of this resolution, a copy be transmitted to the State Legislators representing Sumner County, Tennessee, the Governor of the state of Tennessee, the Speaker of the Tennessee House of Representatives, and the Speaker of the Tennessee Senate.

orig.



SURETY'S BOND NO. 72555262 STATE OF TENNESSEE  
COUNTY OF Sumner  
OFFICIAL STATUTORY BOND  
FOR  
COUNTY PUBLIC OFFICIALS  
OFFICE OF Director

KNOW ALL MEN BY THESE PRESENTS:

That Robert Scott Langford  
of Gallatin (City or Town), County of Sumner  
Tennessee, as Principal, and WESTERN SURETY COMPANY  
as Surety, are held and firmly bound unto THE STATE OF TENNESSEE in the full amount of  
One Hundred Thousand and 00/100 Dollars (\$ 100,000.00 )  
lawful money of the United States of America for the full and prompt payment whereof we bind ourselves, our representatives,  
successors and assigns, each jointly and severally, firmly and unequivocally by these presents.

WHEREAS, The said Principal was duly \_\_\_\_\_ elected X appointed to the office of Director  
of and for Sumner County Schools ~~County~~ for the 1 year term beginning on the 1st day of  
July, 2023 and ending on the 1st day of July, 2024

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH:

- That if the said Robert Scott Langford, Principal, shall:
1. Faithfully perform the duties of the office of Director of Sumner County Schools during such person's term of office or his continuance therein; and,
  2. Pay over to the persons authorized by law to receive them, all moneys, properties, or things of value that may come into such Principal's hands during such Principal's term of office or continuance therein without fraud or delay, and shall faithfully and safely keep all records required in such Principal's official capacity, and at the expiration of the term, or in case of resignation or removal from office, shall turn over to the successor all records and property which have come into such Principal's hands, then this obligation shall be null and void; otherwise to remain in full force and effect.

WITNESS our hands and seals this 11th day of May, 2023

WITNESS — ATTORNEY  
Chita Palmer

PRINCIPAL:

Robert Scott Langford

SURETY: WESTERN SURETY COMPANY

by: Larry Kester  
Larry Kester, Vice President

COUNTERSIGNED BY:

NOT NEEDED  
Tennessee Resident Agent

(Attach evidence of authority to execute bond)

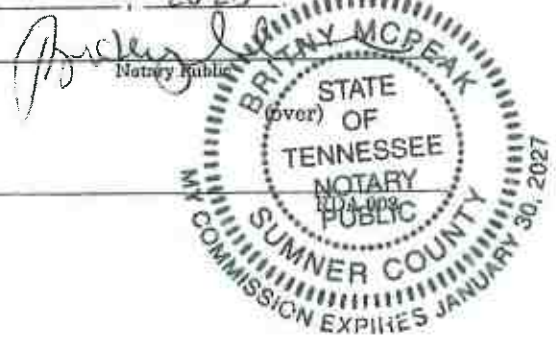
ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF TENNESSEE  
COUNTY OF Sumner

Before me, a Notary Public, of the State and County aforesaid, personally appeared Robert Scott Langford  
to me known (or proved to me on the basis of satisfactory evidence) to be the individual described in the foregoing bond as  
Principal, and who, upon oath acknowledged that such individual executed the foregoing bond as such individual's free act and  
deed.

WITNESS my hand and seal this 22nd day of May, 2023

My Commission Expires: January 30, 2027





# ACKNOWLEDGEMENT OF SURETY

STATE OF South Dakota

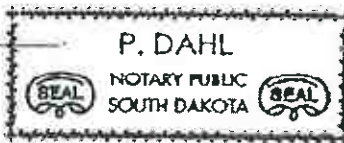
COUNTY OF Minnehaha

Before me, a Notary Public, of the State and County aforesaid, personally appeared Larry Kasten with whom I am personally acquainted and, who, upon oath, acknowledged himself/herself to be the individual who executed the foregoing bond on behalf of WESTERN SURETY COMPANY, the within named Surety, a corporation duly license to do business in the State of Tennessee, and that he/she as such individual being authorized so to do, executed the foregoing bond on behalf of the Surety, by signing the name of the corporation by himself/herself as such individual.

WITNESS my hand and seal this 11th day of May 2023

My Commission Expires:

June 18, 2025



P. Dahl  
Notary Public

## APPROVAL AND CERTIFICATION

### SECTION I. (Applicable to all County Officials except Clerks of all Courts)

Bond and Sureties approved by \_\_\_\_\_, County Executive/Mayor of \_\_\_\_\_ County, on this \_\_\_\_\_ day of \_\_\_\_\_.

Signed: \_\_\_\_\_

County Executive/Mayor

### CERTIFICATION:

I, \_\_\_\_\_, County Clerk of \_\_\_\_\_ County, hereby certify that the foregoing bond was approved by the Legislative Body of said county, in open session on the \_\_\_\_\_ day of \_\_\_\_\_, and entered upon the minutes thereof.

Signed: \_\_\_\_\_

County Clerk

### SECTION II. (Applicable to all Clerks of all Courts)

### CERTIFICATION:

This is to certify that I have examined the foregoing bond and found the same to be sufficient and in conformity to law, that the sureties on the same are good and worth the penalty thereof and that the same has been entered upon the minutes of said court.

Signed: \_\_\_\_\_

Judge of the \_\_\_\_\_ Court of and for said County on  
on this \_\_\_\_\_ day of \_\_\_\_\_.

### SECTION III. (Applicable to all County Officials' Bonds) FOR USE BY REGISTER OF DEEDS

### SECTION IV. (Applicable to all County Officials Bonds)

### ENDORSEMENT:

Filed with the Office of the County Clerk, County of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

Signed: \_\_\_\_\_

County Clerk

Form Prescribed by the Comptroller of the Treasury, State of Tennessee  
Form Approved by the Attorney General, State of Tennessee

WESTERN SURETY COMPANY  
101 S. Reid St., Ste. 300  
Sioux Falls, SD 57103-7046  
(800) 331-6053

# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Larry Kasten of Sioux Falls,  
State of South Dakota, its regularly elected Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Director Sumner County Schools

bond with bond number 72555262

for Robert Scott Langford

as Principal in the penalty amount not to exceed: \$100,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its  
Vice President \_\_\_\_\_ with the corporate seal affixed this 11th day of May,  
2023.

ATTEST

L. Bauder

L. Bauder, Assistant Secretary

WESTERN SURETY COMPANY

By

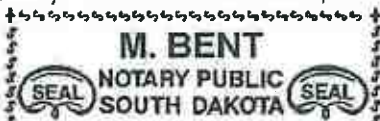
Larry Kasten

Larry Kasten, Vice President

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 11th day of May, 2023, before me, a Notary Public, personally appeared  
Larry Kasten and L. Bauder

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President  
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the  
voluntary act and deed of said Corporation.



M. Bent

Notary Public

My Commission Expires March 2, 2026

To validate bond authenticity, go to [www.cnasurety.com](http://www.cnasurety.com) > Owner/Obligee Services > Validate Bond Coverage.





**A RESOLUTION RATIFYING PRIVATE CHAPTER 29, PRIVATE ACTS OF  
2023 PROHIBITING EMINENT DOMAIN FOR GREENWAYS**

**WHEREAS**, Private Acts of 2023, Chapter 29 (hereinafter “Act”) passed the Tennessee General Assembly and was signed by Governor Bill Lee on April 20, 2023;

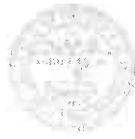
**WHEREAS**, the Act requires passage via two-thirds majority by the Sumner County Commission for the Act to become effective;

**WHEREAS**, the Act requires certification of this vote be transmitted to the Tennessee Secretary of State;

**THEREFORE BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of June, 2023, that this body hereby approves the Act in the form required by law;

**BE IT FURTHER RESOLVED** that the Presiding Officer of the Sumner County Commission is directed to certify the result of the action taken to the Tennessee Secretary of State.

# State of Tennessee



The Secretary of State  
State Capitol  
Nashville, Tennessee 37243-0305

Tre Hargett  
Secretary of State

615-741-2819  
Tre.Hargett@tn.gov

May 16, 2023

Mr. Eric Sitler  
Sumner County Law Director  
355 N. Belvedere Drive, Room 303  
Gallatin, TN 37066

Dear Mr. Sitler,

Enclosed is a certified copy of Private Chapter No. 29 relating to Sumner County. This legislation was recently passed by the Tennessee General Assembly.

Pursuant to T.C.A. §§ 8-3-201 and 8-3-202, the local legislative body must send notice to the secretary of state of its action by December 1 of the year of passage by the General Assembly. Please see Section 3 of Private Chapter No. 29 for instructions on ratification and notice to the secretary. Notification forms are enclosed for your convenience.

Please feel free to contact me at the number above if you have any questions. You may also contact Mr. Robert Greene, Director of Publications, at 615-741-2650. We are here to assist you in any way.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Tre Hargett'.

Tre Hargett  
Secretary of State

cc: State Senator Ferrell Haile  
State Representative William Slater  
State Representative Johnny Garrett  
State Representative William Lamberth

Enclosures

Local Legislative Body



NOTICE TO  
LOCAL LEGISLATIVE BODY OF  
LEGISLATIVE ACTION ON  
PRIVATE ACT

Private Chapter No. 29, which is House

Bill No. 1561, of the 113th General Assembly, was passed on  
May 11, 2023.

SECRETARY OF STATE

by: 

Division of Publications  
312 Rosa L. Parks Avenue  
Eighth Floor  
William R. Snodgrass Tennessee Tower  
Nashville, TN 37243

Pursuant to T.C.A. §§ 8-3-201 and 8-3-202, the attached is being provided by the Secretary of State. A two-thirds majority of the local legislative body is required for approval. The presiding officer shall complete the attached form, certify within 30 days of action, and return to the Secretary of State, Publications Division at the given address. In the absence of a deadline in the act, failure to approve by December 1 of the year of passage by the General Assembly will render the act null and void. **TO GUARANTEE PROPER AND TIMELY DELIVERY OF YOUR DOCUMENTS TO THE SECRETARY OF STATE, PUBLICATIONS DIVISION, A COURIER DELIVERY SERVICE IS RECOMMENDED.** (Examples: Overnight Postal, Express Postal, Federal Express, etc.)

cc: State Senator Ferrell Haile  
State Representative William Slater  
State Representative Johnny Garrett  
State Representative William Lamberth



## NOTICE TO SECRETARY OF STATE OF RATIFICATION OF PRIVATE ACT

### SECRETARY OF STATE

Division of Publications  
312 Rosa L. Parks Avenue  
Eighth Floor  
William R. Snodgrass Tennessee Tower  
Nashville, TN 37243

Private Chapter No. 29, which is House  
(Senate or House)

Bill No. 1561 of the 113th General Assembly, (please choose one):

☐ Passed ☐ Failed ☐ No Action Taken

The vote took place on \_\_\_\_\_, and the results were as follows:  
Date (mm/dd/yyyy)

\_\_\_\_\_ Votes For

\_\_\_\_\_ Votes Against

\_\_\_\_\_ Abstention

(please list number of votes)

\_\_\_\_\_  
Presiding Officer of the Local Legislative Body

Embossed Seal:  
(if applicable)

\_\_\_\_\_  
County or City

\_\_\_\_\_  
Date (mm/dd/yyyy)



*To all to whom these Presents shall come, Greeting:*

*I, Tre Hargett, Secretary of State of the State of Tennessee,  
do hereby certify that the annexed is a true copy of*

Private Chapter No. 29

House Bill No. 1561

Senate Bill No. 1551

113th General Assembly



*the original of which is now on file and a matter  
of record in this office. In Testimony Whereof,  
I have hereunto subscribed my official signature  
and by order of the Governor affixed the Great  
Seal of Tennessee at the Department  
in the City of Nashville,  
this 16th day of May, A.D. 2023.*

*Tre Hargett, Secretary of State*



## State of Tennessee

### PRIVATE CHAPTER NO. 29

HOUSE BILL NO. 1561

By Representatives Slater, Garrett, Lamberth, Grills

Substituted for: Senate Bill No. 1551

By Senator Haile

AN ACT relative to the use of eminent domain in Sumner County

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Eminent domain must not be used in Sumner County to acquire privately owned real property for parks, trails, paths, or greenways for walking, running, hiking, bicycling, or equestrian use, unless the privately-owned real property is parallel to, runs directly along the length of, and extends in the same direction as a highway, road, or street, and applies to the following entities with the power to condemn in Tennessee:

- (1) Airport authorities under T.C.A. §§ 42-3-108 — 42-3-109; 42-3-204;
- (2) County airports under T.C.A. § 42-5-103;
- (3) County controlled access highways under T.C.A. § 54-16-104;
- (4) County electric plants under T.C.A. § 7-52-105;
- (5) County industrial parks under T.C.A. § 13-16-103;
- (6) County levees under T.C.A. § 69-4-105;
- (7) County public transportation systems under T.C.A. § 7-56-106;
- (8) County public works projects under T.C.A. § 9-21-107;
- (9) County railroad systems under T.C.A. § 7-56-207;
- (10) County recreational land under T.C.A. § 11-24-102;
- (11) County roads under T.C.A. §§ 29-17-801 et seq.; 54-10-205;
- (12) County schools under T.C.A. §§ 49-6-2001 et seq.;
- (13) County solid waste sites under T.C.A. § 68-211-919;
- (14) Drainage and levee districts under T.C.A. §§ 29-17-901 et seq.; 69-5-201 et seq.;
- (15) Hospitals under T.C.A. § 29-16-126;
- (16) Housing authorities under T.C.A. §§ 13-20-104; 13-20-108 — 13-20-109; 13-20-212;
- (17) Light, power, and heat companies under T.C.A. § 65-22-101;
- (18) Pipeline companies under T.C.A. § 65-28-101;
- (19) Road improvement districts under T.C.A. § 54-12-152;
- (20) Solid waste authorities under § 68-211-908;

**HB1561**

- (21) Utility Districts under T.C.A. § 7-82-305;
- (22) Water and Wastewater Authorities under T.C.A. § 68-221-610; and
- (23) Water and Waterworks Companies under T.C.A. § 65-27-101.

SECTION 2. This act does not apply upon written agreement between the owner of the real property and a:

- (1) Planned unit development;
- (2) Homeowner's association; or
- (3) Business or related entity.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Sumner County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.



HOUSE BILL NO. 1561

PASSED: April 20, 2023



CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES



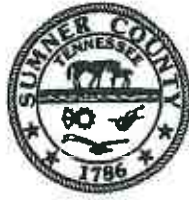
RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 11<sup>th</sup> day of May 2023



BILL LEE, GOVERNOR

STATE OF TENNESSEE  
Sumner County



Date: \_\_\_\_\_

Board of County Commissioners  
**RESOLUTION**

No. \_\_\_\_\_

TITLE:

**A RESOLUTION FOR INTERIM APPOINTMENT FOR A DIRECTOR OR DEPARTMENT  
HEAD VACANCY**

**WHEREAS**, Sumner County, from time to time, experiences vacancies in the positions of Director or department head; and

**WHEREAS**, Sumner County may require the assignment of a current employee as Interim Director or department head until appointment, vetting and/or voting by the Sumner County Board of County Commissioners of a replacement for said vacancy.

**THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the \_\_\_\_ day of \_\_\_\_\_ 2023, that this body does hereby rescind all previous actions and resolutions related to Interim Appointment for Director/department head.

**BE IT FURTHER RESOLVED** that upon a vacancy of a Director or department head an employee may be assigned as Interim Director or Interim department head;

**BE IT FURTHER RESOLVED** that pay for Interim Director or Interim department head shall increase no more than fifty percent (50%) of the difference between the assignee's salary and the salary of the last Director or department head to fill the position;

**BE IT FURTHER RESOLVED** that the Director or department head line item for budgetary purposes will be immediately reduced to the appropriate amount determined for Interim pay;

**BE IT FURTHER RESOLVED** that upon final appointment, vetting and/or voting by the Sumner County Board of County Commissioners of an individual as a replacement for said vacancy, the line item for budgetary purposes will be adjusted to reflect Director or department head's salary as approved by the Sumner County Board of County Commissioners.

CERTIFICATE OF ACTION

\_\_\_\_\_  
COUNTY MAYOR

\_\_\_\_\_  
COUNTY CLERK

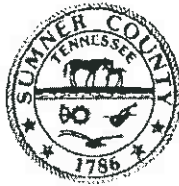
\_\_\_\_\_  
DATE

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abs: \_\_\_\_\_

APPROVED: ☐ REJECTED: ☐

BURUARY 22, 2016

STATE OF TENNESSEE  
Sumner County



Date

Board of County Commissioners

## RESOLUTION

No. 1602-19

STATE OF TENNESSEE, SUMNER COUNTY  
I, the undersigned county clerk, do hereby  
certify that this is a true and correct  
copy of the original instrument filed  
in my office.

Given under my hand and the seal of office  
this 22nd day of February, 2016.

*[Signature]*  
SUMNER COUNTY CLERK

TITLE

A RESOLUTION ADOPTING THE INTERLOCAL AGREEMENT BETWEEN  
THE SUMNER COUNTY EMERGENCY COMMUNICATIONS DISTRICT, THE  
COUNTY OF SUMNER, AND THE CITIES OF HENDERSONVILLE,  
GALLATIN, PORTLAND, MILLERSVILLE, AND WESTMORELAND FOR  
UNIFIED DISPATCH AND OPERATION OF THE SUMNER COUNTY  
EMERGENCY COMMUNICATIONS CENTER

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in  
regular session on this the 22<sup>nd</sup> day of February, 2016, that this body hereby adopts the Interlocal  
Agreement between the Sumner County Emergency Communications District, the County of  
Sumner, and the Cities of Hendersonville, Gallatin, Portland, Millersville, and Westmoreland for  
Unified Dispatch and Operation of the Sumner County Emergency Communications Center, as  
shown on the attachment herewith.

CERTIFICATION OF ACTION

*[Signature]*  
COUNTY CLERK

*[Signature]*  
COUNTY EXECUTIVE

2/23/2016  
DATE

Ayes 24 Nays 0 Abs 0

APPROVED: *[Signature]*

REJECTED: ☐

RESOLUTION #R-022016-1

**A RESOLUTION AUTHORIZING WESTMORELAND TO PARTICIPATE IN THE CONSOLIDATION OF DISPATCH SERVICES FOR SUMNER COUNTY**

**WHEREAS**, the City Council of the City of Westmoreland, Tennessee (the "City"), recognizes the need to provide prompt emergency services; and

**WHEREAS**, the governmental entities of Sumner County, Tennessee, have had numerous meetings to study and to establish rules with respect to the consolidation of dispatch services throughout Sumner County; and

**WHEREAS**, the City Council of the City recognizes the benefits of consolidated dispatch services and desires to be a part of a joint venture with Sumner County, Tennessee, and the other cities within Sumner County:

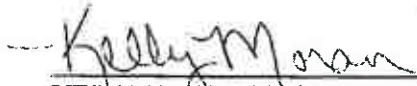
**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Westmoreland, Tennessee, hereby approves the City's joining with other Sumner County cities and the Sumner County government to consolidate dispatch services in accordance with the attached Agreement, and designates the Mayor or his designee as its representative to the organizational structure for such consolidated services.

Adopted on this the 18th day of February, 2016.

APPROVED:

  
JERRY KIRKMAN, Mayor

ATTEST:

  
KELLY MORAN, City Recorder

**INTERLOCAL AGREEMENT  
BETWEEN THE SUMNER COUNTY EMERGENCY COMMUNICATIONS  
DISTRICT,  
THE COUNTY OF SUMNER  
AND  
THE CITIES OF HENDERSONVILLE, GALLATIN, PORTLAND,  
MILLERSVILLE, AND WESTMORELAND  
FOR UNIFIED DISPATCH  
AND  
OPERATION  
OF THE SUMNER COUNTY EMERGENCY COMMUNICATIONS CENTER**

**WHEREAS**, this Agreement is entered into by and among the undersigned parties, for and on behalf of their respective governing bodies, that being the City of Hendersonville ("Hendersonville"), the City of Gallatin ("Gallatin"), the City of Portland ("Portland"), the City of Millersville ("Millersville"), and the City of Westmoreland ("Westmoreland") (collectively referred to as "the Cities"), the County of Sumner ("County") and the Sumner County Emergency Communication District ("E911") in the State of Tennessee; and

**WHEREAS**, Tennessee Code Annotated, Sections 12-9-101 through 12-9-109 et seq., authorizes public agencies in this state to enter into interlocal agreements; and,

**WHEREAS**, E911, the Cities and the County, all which are parties to this agreement, wish to avail themselves of all authority conferred by these statutes and any other provision of law, to create and operate unified dispatch services through the Sumner County Emergency Communications Center ("ECC") which will serve as the integrated and **coordinated** providers of dispatch services for the parties to the agreement ("Unified Dispatch"); and

**WHEREAS**, the parties deem it in the public interest hereto that such Unified Dispatch be created.



**NOW, THEREFORE**, in consideration of the covenants contained herein, the parties agree as follows:

1. **PURPOSE.** The purpose of Unified Dispatch is to consolidate the efforts, **information**, experience, training, and resources of the individual organizations to increase **effectiveness**, share resources and avoid duplication of effort in provision of E911 and dispatch services throughout the Sumner County area.

By the signatures of the executive officer of each entity to this Agreement, the parties hereto agree to be part of Unified Dispatch pursuant to terms and conditions of this Agreement.

**2. MANAGEMENT AND ADMINISTRATION.**

There will be two standing committees which shall oversee the operations of Unified Dispatch. The Executive Committee and the Operations Committee.

The Executive Committee shall be composed of the one executive member from each entity. This member shall be the Mayor, Executive or City Manager of each entity **represented** (or their designee). The Rules of the Executive Committee are attached herewith as Exhibit A to this Agreement and incorporated herein.

The Operations Committee shall report to the Executive Committee. The Rules of the Operations Committee are attached herewith as Exhibit B to this Agreement and incorporated herein.

The Operations Committee shall consist of the Sheriff (or his designee) and he shall have one vote; the EMA Director (or his designee) and he shall have one vote; and the EMS Director of Sumner County (or his designee) and he shall have one vote; and the Chief of Police (or other designated representative) of each city entity and he shall have one vote; and Chief of the Fire **Department** (or other designated **representative**) of each city entity and he shall have one vote. Each city shall determine who shall cast such votes and the terms of **participation** in meetings with regards to their respective entity; and the Sumner County Volunteer Fire Chief, (or his



designee) and he shall have one vote and the E-911 Director (or his designee) and he shall have one vote.

The Operations Committee shall have the **responsibility** of carrying out the general operations of the Unified Dispatch Plans. The Operations Committee shall draft all policies and procedures for the Unified Dispatch.

The day-to-day operations of the ECC shall be run by the Emergency Communications Center Director ("Director")

Duties. Overall guidance of the ECC operations, including the setting of priorities and general operation procedures, is vested in the Operations Committee.

**3. CONTRIBUTION OF PARTICIPATING ENTITIES.** The participating governmental entities agree to contribute to the formation and operation of the ECC on the basis of the following standards:

The funding formula shall be constructed with one half (1/2) the cost to be based on population and one half (1/2) on "call for service" or "Calls to CAD" service participation.

To determine the population, the Sumner County population for Goodlettsville and White House was eliminated from the formula, since neither is participating. However, the county ambulance calls and any emergency **management** services in those areas are still a part of the "calls for service" calculations numbers.

The **percentages** for May 2014, based upon the above formula is:

Entity	Percentage of Budget attributable to the Entity	Original Contribution for fiscal year 2014-2015
Sumner Co	32%	\$38,000.00
Hendersonville	29%	\$34,800.00
Gallatin	23%	\$27,600.00
Portland	9%	\$10,800.00
Millersville	5%	\$6,000.00

Westmoreland	2%	\$2,400.00
--------------	----	------------

These calculations, established in May of 2014, will be recalculated on or before July 1, 2016 and every other year thereafter, or as determined necessary by the ECC Executive Committee.

The member entities shall never be charged more than their percentage share determined by the formula for payment of the costs and expenses of operation as set forth by this Agreement.

4. **FINANCIAL MATTERS.** The financial affairs of the ECC shall be conducted in accordance with the state law and the procedures established by the State Comptroller. The Executive Committee shall oversee all funding decisions.

The County shall handle all financial matters on behalf of the facility and its operations.

Entities will be billed on a quarterly basis by the County for the costs attributable to each organization/entity. Once an invoice is sent, each entity has thirty (30) days to pay the County who is overseeing the daily financial obligations.

5. **PROPERTY OF THE ECC.** The ECC facility and all related equipment shall be the property of the County. All employees of the ECC shall be employees of the County.

6. **DISPOSAL OF PROPERTY.** Obsolete or surplus property obtained by the ECC will be disposed of as the Executive Committee directs. Such disposal must comply with the general law and practices of The County.

7. **WAIVER OF CLAIMS.** Each participating party agrees that it will make no claim for compensation for any damages or loss to its equipment, or for personal injury, including death, occurring as a consequence of ECC activities, against any other participating local governments and that all such claims are waived.

Mayor of Portland \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Westmoreland Larry D. Kirkman

Adopted: 2/18/2014

Date: 4/21/2014

Approved as to Form: John Bradley City Attorney

Mayor of Millersville \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

County Executive

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ County Attorney

Director E-911

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Gallatin

*Jo Ann Shaver*

Adopted: JUNE 3, 2014 RESOLUTION No. R1406-25

Date: Sept 8, 2014

Approved as to Form: *Suzanne High-Middleton* City Attorney

Mayor of Portland

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Westmoreland

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Millersville

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

County Executive

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Gallatin \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Portland Kim Wilh

Adopted: Ordinance # 14-39

Date: Second reading Sept. 2, 2014

Approved as to Form: David M. Lunn City Attorney

Mayor of Westmoreland \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Millersville \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

County Executive

10. **EFFECTIVENESS.** This Agreement shall become effective when executed by the Mayor of each city, the County Executive and the E911 Director pursuant to the resolution of each jurisdiction authorizing them to so execute.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of this \_\_\_\_ day of \_\_\_\_\_, 2016.

Mayor of Hendersonville John J. J. J.

Adopted: Resolution 2016-4

Date: 2/9/16

Approved as to Form: John D. Bradley City Attorney

Mayor of Gallatin \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Portland \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Westmoreland \_\_\_\_\_

Adopted; \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Millersville \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_ City Attorney

Mayor of Millersville

*Shirley F. Smith*

Adopted: \_\_\_\_\_

FEB 16 2016

Date: \_\_\_\_\_

FEB 16 2016

Approved as to Form: \_\_\_\_\_

*Robert L. W. [Signature]*

City Attorney

County Executive

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_

County Attorney

Director E-911

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_

County Attorney



Exhibit A

RULES OF  
THE EXECUTIVE COMMITTEE  
OF THE

SUMNER COUNTY EMERGENCY COMMUNICATIONS CENTER

**ARTICLE I - Membership**

**Section A: Composition**

The Sumner County Emergency Communications Center ("ECC") shall be comprised of the county, cities and emergency service agencies of Sumner County, Tennessee who have joined the Sumner County Emergency Communications Center organization.

The ECC shall be overseen by the Executive Committee ("Executive Committee").

The Executive Committee shall be composed of the Executive Director, Mayor or City Manager or their designee ("Mayor") from each of the following governmental organizations: Sumner County, Hendersonville, Gallatin, Portland, Millersville, and Westmoreland. Moreover, Executive Committee members shall reside in any city, town or other such political subdivision they serve as well as be a resident of Sumner County, Tennessee.

The E-911 Director shall serve as an ex-officio, non-voting member of the Executive Committee.

The Operations Committee shall elect one member from that Committee to attend all meetings of the Executive Committee to act as a liaison between the two committees. This Operations Committee representative will be a non-voting member of the Executive Committee.

**Section B: Regular & Special Meetings**

The Regular Meetings of the Executive Committee shall be on the \_\_\_\_\_ day of the month at \_\_\_\_\_ p.m. for the purpose of transacting such business as may come before the Executive Committee.

If the date fixed for the regular meeting shall be a legal holiday in the State of Tennessee, such meeting shall be held on the next succeeding business day.

Special Meetings of the Executive Committee may be called by the Chairman or a majority of the membership of the committee.

The Regular Meetings or any called Special Meeting shall be held at the **Sumner County Emergency Communication Center**, 253 Airport Road, Gallatin, TN 37066, unless otherwise specified by the Chairman or Secretary.

#### **Section C: Voting and Quorum**

The duly appointed members of the **Executive Committee** are entitled to vote at each meeting. Such votes shall be recorded on the minutes and shall be subject to the inspection of any member. Voting by proxy shall not be permitted.

A majority of the members of the **Executive Committee** entitled to vote, presented in person, shall constitute a quorum.

The Chairman shall have his vote as a member and shall have one super vote to cast only in the event of a tie.

#### **ARTICLE II - Offices, Officers and Agent**

##### **Section A: Offices-**

The principal office of the **Executive Committee** shall be located at the Sumner County Emergency Communications Center, City of Gallatin, County of Sumner located at 253 Airport Road, Gallatin, Tennessee 37066.

##### **Section B: Election, Officers and Terms of Office -**

The officers of the **Executive Committee** shall be a Chairman, a Vice-Chairman, and a Secretary. Each shall be elected by the membership of the **Executive Committee, pursuant to the rules of this Agreement.** Such other officers and committees as may be deemed necessary may be elected by the membership or appointed by the Chairman.

The Officers of the **Executive Committee** shall be elected annually by the members at the first meeting held in July of each year. If the election of officers shall not be held at that meeting, such election shall be held as soon thereafter as convenient to the membership. Each officer shall hold office until his successor shall have been duly elected.

The first Chairman of the Executive Committee shall be the representative of the entity contributing the most financially to the ECC. From that point forward, the Chairmanship shall rotate to the representative of the next highest contributor. The Chairmanship shall rotate through the representatives of the entities contributing more than twenty per cent (20%) of the annual budget. Terms of the Officers of the **Executive Committee** shall be one (1) year in term.

#### **Section C: Vacancies -**

A vacancy in any office because of death, resignation, removal or disqualification may be filled pursuant to these rules, of the unexpired portion of the term.

Vacancy in a post by a **Mayor** shall require an election to replace that officer for the remainder of the term as officer; i.e. a new **Mayor** serving because of change in leadership of that political entity does not automatically obtain any term of an officer of the **Executive Committee**.

#### **Section D: Chairman -**

The Chairman shall be the principal Executive officer of the **Executive Committee** and shall in general supervise and control all of the business and affairs of the **Executive Committee**. He/she shall, when present, preside at all meetings.

#### **Section E: Vice-Chairman -**

The Vice-Chairman shall perform the functions of the Chairman in his/her absence. In the event the Chairman is absent and the Vice Chairman is acting as Chairman, he does not obtain the right to a super vote.

#### **Section F: Secretary -**

The Secretary shall: record and keep the minutes of the meetings; be custodian of the **Executive Committee** records; sign with the Chairman any instruments which shall have to be authorized by resolution of the membership; have general charge of the books of the **Executive Committee**; and perform all duties incident to the office and such other duties as may from time to time be assigned by the Chairman or membership at large.

#### **Section G: Agent for Service -**

The agent for service of Process for the **Executive Committee** shall be the Sumner County Law Director, Leah May Dennen, whose offices are located at 355 North Belvedere Drive, Room 303, Gallatin Tennessee, 37066.

#### **Section H: Compensation -**

The members of the **Executive Committees** shall receive no compensation.

#### **ARTICLE III - Contracts, Loans, Checks, and Deposits**

## **Section A: Contracts -**

The **Executive Committee** may authorize any officer or agent, to enter into any contract or instrument in the name of and on behalf of the **Executive Committee**.

## **Section B: Funds-**

All checks, drafts, or other orders for payment of money, notes, or other evidences of indebtedness issued in the name of the **Executive Committee** shall be signed by such officer or officers, as determined by resolution of the **Executive Committee**.

All funds of the **Executive Committee** shall be deposited to the credit of Sumner County, Tennessee and be accounted and handled pursuant to State of Tennessee financial rules and regulations.

## **ARTICLE IV - Fiscal Year**

The Fiscal Year of the **Executive Committee** shall begin on the first day of July and end on the 30<sup>th</sup> day of June.

## **ARTICLE V - Duties**

The **Executive Committee** shall oversee all business of the **Operations Committee** and the employment of the **Director of the Sumner County Emergency Communications Center ("Director")**.

The **Executive Committee** will make the final decision about the hiring, employment terms or dismissal of the **Director**.

## **ARTICLE VI - Amendments**

These Rules may be altered, amended, or repealed and new Rules may be adopted by two-third vote of the **Executive Committee** at any regular or special meeting of the membership provided.

## **ARTICLE VII - Parliamentary Authority**

All meetings and business conducted by the **Executive Committee** shall be governed by the latest edition of Robert's Rules of Order, except in the event those rules are inconsistent with these Rules and/or any special rules of order adopted by the **Executive Committee**.

**ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
CHAIRMAN

Exhibit B

RULES OF  
THE OPERATIONS COMMITTEE  
OF THE  
SUMNER COUNTY EMERGENCY COMMUNICATIONS CENTER

ARTICLE I - Membership

Section A: Composition

The Sumner County Emergency Communications Center ("ECC") shall be comprised of the county, cities and emergency service agencies of Sumner County, Tennessee who have joined the Sumner County Emergency Communications Center organization.

The Operations Committee ("Operations Committee") shall be overseen by the Executive Committee ("Executive Committee").

The Operations Committee shall consist of the following members:

Sheriff (or his designee) and he shall have one vote;  
and

EMA Director (or his designee) and he shall have one vote; and

EMS Director (or his designee) and he shall have one vote; and

Chief of Police of each city entity (or other designated representative) and he shall have one vote;  
and

Chief of the Fire Department of each city entity (or other designated representative) and he shall have one vote.

Each city shall determine who shall cast such votes and the terms of participation in meetings; and

The Sumner County Volunteer Fire Chief, (or his designee) and he shall have one vote and

The **E-911 Director** (or his designee) and he shall have one vote.

#### **Section B: Regular & Special Meetings**

The Regular Meetings of the **Operations Committee** shall be on the \_\_\_\_\_ day of the month at \_\_\_\_\_ p.m. for the purpose of transacting such business as may come before the **Operations Committee**.

If the date fixed for the regular meeting shall be a legal holiday in the State of Tennessee, such meeting shall be held on the next succeeding business day.

Special Meetings of the **Operations Committee** may be called by the Chairman or a majority of the membership of the committee.

The Regular Meetings or any called Special Meeting shall be held at the **Sumner County Emergency Communication Center**, 253 Airport Road, Gallatin, TN 37066, unless otherwise specified by the Chairman or Secretary.

#### **Section C: Voting and Quorum**

The duly appointed members of the **Operations Committee** are entitled to vote at each meeting. Such votes shall be recorded on the minutes and shall be subject to the inspection of any member. Voting by proxy shall not be permitted.

A majority of the members of the **Operations Committee** entitled to vote, presented in person, shall constitute a quorum.

### **ARTICLE II - Offices, Officers and Agent**

#### **Section A: Offices-**

The principal office of the **Operations Committee** shall be located at the **Sumner County Emergency Management Building**, City of Gallatin, County of Sumner located at 253 Airport Road, Gallatin, Tennessee 37066.

#### **Section B: Election, Officers and Terms of Office -**

The officers of the **Operations Committee** shall be a Chairman, a Vice-Chairman, and a Secretary. Each shall be elected by the membership of the **Operations Committee**.

Such other officers and committees as may be deemed



necessary may be elected by the membership or appointed by the Chairman.

The Officers of the **Operations Committee** shall be elected annually by the members at the first meeting held in July of each year. If the election of officers shall not be held at that meeting, such election shall be held as soon thereafter as convenient to the membership. Each officer shall hold office until his successor shall have been duly elected.

Terms of the Officers of the **Operations Committee** shall be one (1) year in term and no Officers shall hold a term for more than two (2) consecutive years before another member shall serve.

**Section C: Vacancies -**

A vacancy in any office because of death, resignation, removal or disqualification may be filled pursuant to these rules, of the unexpired portion of the term.

**Section D: Chairman -**

The Chairman shall be the principal Executive officer of the **Operations Committee** and shall in general supervise and control all of the business and affairs of the **Operations Committee**. He/she shall, when present, preside at all meetings.

**Section E: Vice-Chairman -**

The Vice-Chairman shall perform the functions of the Chairman in his/her absence. In the event the Chairman is absent and the Vice Chairman is acting as Chairman, he does not obtain the right to a super vote.

**Section F: Secretary -**

The Secretary shall: record and keep the minutes of the meetings; be custodian of the **Operations Committee** records; sign with the Chairman any instruments which shall have to be authorized by resolution of the membership; have general charge of the books of the **Operations Committee**; and perform all duties incident to the office and such other duties as may from time to time be assigned by the Chairman or membership at large.

**Section G: Agent for Service -**

The agent for service of Process for the **Operations Committee** shall be the Sumner County Law Director, Leah May

Dennen, whose offices are located at 355 North Belvedere Drive, Room 303, Gallatin Tennessee, 37066.

**Section H: Compensation -**

The members of the **Operations Committees** shall receive no compensation.

**ARTICLE III - Duties**

The **Operations Committee** shall have the responsibility of carrying out the general operations of the Unified Dispatch Plans and shall draft all policies and procedures for the Unified Dispatch.

The **Operations Committee** shall undertake the interviewing and recommendation of a **Director** candidate to the **Executive Committee**.

The **Executive Committee** will make the final decision about the hiring, employment terms or dismissal of the **Director**.

The duties of the **Operations Committee** include, but are not limited to the following:

- (A) Acting as the integrated and coordinated providers of dispatch services for all law enforcement, fire, medical, emergency service, animal, wildlife and related calls as well as sewer and utility calls for the participant entities; and
- (B) Develop and update standard operating procedures for various duties and responsibilities of the Dispatch Center; and
- (C) Act as the liaison between their entity and the Executive Committee; and
- (D) Any other duties assigned by the Executive Committee.

**ARTICLE IV - Amendments**

These Rules may be altered, amended, or repealed and new Rules may be adopted by two-third vote of the **Operations Committee** at any regular or special meeting of the membership provided.

**ARTICLE V - Parliamentary Authority**

All meetings and business conducted by the **Operations Committee** shall be governed by the latest edition of Robert's Rules of Order, except in the event those rules are inconsistent with these Rules.

**ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_ CHAIRMAN

\_\_\_\_\_ SECRETARY

**ITEMS TO BE PLACED  
ON THE  
LEGISLATIVE COMMITTEE AGENDA**

**DATE OF MEETING:** June 12, 2023

**TO:** Eric Sitler

**FROM:** Development Services Department

**SUBJECT:** **257 Allen Road - REZONING**  
(Second Reading)

**257 ALLEN ROAD – ASSIGNMENT OF COUNTY ZONING TO DEANNEXED PARCEL** – Reshma Maradia – 16th Commission Voting District (Jeremy Mansfield) – Sumner County is recommending a zoning classification of Rural Residential (RR) to subject property due to de-annexation from the City of Goodlettsville, TN. Request is being made pursuant to Chapter 17, Section 1705 of the Sumner County Zoning Resolution. Subject property is located at **257 Allen Road, Goodlettsville TN, 37072**, is Tax Map 139, Parcel 098.01, and contains 5.44 acres. Property is currently located in the city of Goodlettsville, but is set to be formally deannexed effective 9/9/2023. The Sumner County Regional Planning Commission forwarded a POSITIVE recommendation related to this item on April 25, 2023.

CC: Commissioner Jeremy Mansfield  
Jennifer Mitchell  
Ramona Thackxton

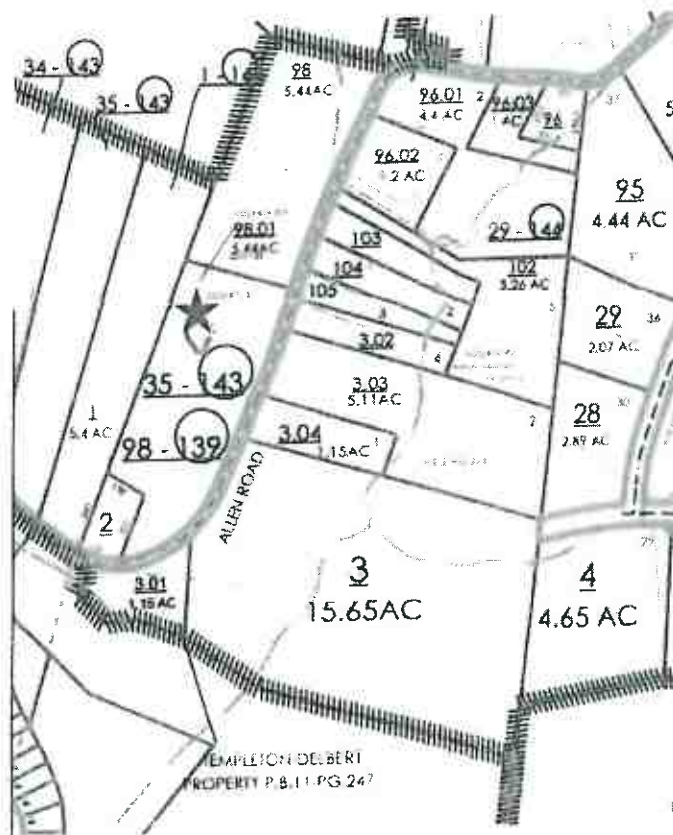
## PUBLIC NOTICE

THE SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS WILL HOLD A PUBLIC HEARING ON **JUNE 26, 2023 AT 7:00 P. M.** IN THE BETHEL BROWN COMMISSION CHAMBERS OF THE SUMNER COUNTY ADMINISTRATION BUILDING, LOCATED AT 355 NORTH BELVEDERE DRIVE, GALLATIN, TENNESSEE.

**257 ALLEN ROAD – ASSIGNMENT OF COUNTY ZONING TO DEANNEXED PARCEL** – Reshma Maradia – 16th Commission Voting District (Jeremy Mansfield) – Sumner County is recommending a zoning classification of Rural Residential (RR) to subject property due to de-annexation from the City of Goodlettsville, TN. Request is being made pursuant to Chapter 17, Section 1705 of the Sumner County Zoning Resolution. Subject property is located at **257 Allen Road, Goodlettsville TN, 37072**, is Tax Map 139, Parcel 098.01, and contains 5.44 acres. Property is currently located in the city of Goodlettsville, but is set to be formally deannexed effective 9/9/2023.

The Sumner County Regional Planning Commission forwarded a **POSITIVE recommendation** related to this item on April 25, 2023.

A COPY OF THIS NOTICE IS ON FILE AT THE SUMNER COUNTY DEVELOPMENT SERVICES DEPARTMENT IN THE SUMNER COUNTY ADMINISTRATION BUILDING LOCATED AT 355 NORTH BELVEDERE DRIVE, GALLATIN, TENNESSEE. ANYONE HAVING ANY INTEREST OR DESIRING TO ASK QUESTIONS CONCERNING THIS REQUEST IS INVITED TO JOIN THIS MEETING OR CALL 615-451-6097.



**ITEMS TO BE PLACED  
ON THE  
LEGISLATIVE COMMITTEE AGENDA**

**DATE OF MEETING: June 12, 2023**

**TO: Eric Sitler**

**FROM: Development Services Department**

**SUBJECT: Liberty Farm - REZONING  
(Second Reading)**

**LIBERTY FARM – REZONING** – Land Solutions Company, represented by Lynn Ealey – 12th Commission Voting District (Deborah Holmes) – Applicant is seeking a rezoning from Planned Unit Development (PUD) to Rural Residential (RR). Subject property is located at **Liberty Lane and Upper Station Camp Creek Road, Gallatin, TN, 37066**, is Tax Map 124, Parcel 007.03, contains 23.59 acres and is zoned Planned Unit Development (PUD). This item was deferred at the March 28, 2023 Planning Commission Meeting. The Sumner County Regional Planning Commission forwarded a POSITIVE recommendation related to this item on April 25, 2023.

CC: Commissioner Jeremy Mansfield  
Jennifer Mitchell  
Ramona Thackxton



## **PUBLIC NOTICE**

THE SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS WILL HOLD A PUBLIC HEARING ON **JUNE 26, 2023 AT 7:00 P. M.** IN THE BETHEL BROWN COMMISSION CHAMBERS OF THE SUMNER COUNTY ADMINISTRATION BUILDING, LOCATED AT 355 NORTH BELVEDERE DRIVE, GALLATIN, TENNESSEE.

**LIBERTY FARM – REZONING** – Land Solutions Company, represented by Lynn Ealey – 12th Commission Voting District (Deborah Holmes) – Applicant is seeking a rezoning from Planned Unit Development (PUD) to Rural Residential (RR). Subject property is located at **Liberty Lane and Upper Station Camp Creek Road, Gallatin, TN, 37066**, is Tax Map 124, Parcel 007.03, contains 23.59 acres and is zoned Planned Unit Development (PUD). This item was deferred at the March 28, 2023 Planning Commission Meeting. The Sumner County Regional Planning Commission forwarded a POSITIVE recommendation related to this item on April 25, 2023.

A COPY OF THIS NOTICE IS ON FILE AT THE SUMNER COUNTY DEVELOPMENT SERVICES DEPARTMENT IN THE SUMNER COUNTY ADMINISTRATION BUILDING LOCATED AT 355 NORTH BELVEDERE DRIVE, GALLATIN, TENNESSEE. ANYONE HAVING ANY INTEREST OR DESIRING TO ASK QUESTIONS CONCERNING THIS REQUEST IS INVITED TO JOIN THIS MEETING OR CALL 615-451-6097.



## PUBLIC NOTICE / RESOLUTION

There will be a public hearing at the Sumner County Board of County Commissioners meeting on **Tuesday, June 26, 2023 at 7:00 p.m.** (Local Time) related to proposed revisions of the County Zoning Resolution. This meeting shall be held at the Sumner County Administration Building in the County Commission Chambers, located at 355 North Belvedere Drive, Gallatin, Tennessee.

**At this meeting, the Sumner County Regional Planning Commission will discuss and potentially vote on proposed revisions to the Sumner County Zoning Resolution. These proposed changes include the following:**

**PC Resolution 2023-01:** Amending requirements at Chapter 4, Section 404 of the County Zoning Resolution related to Variable Lot Sizes.

**PC Resolution 2023-02:** Amending requirements at Chapter 10, Section 1005 of the County Zoning Resolution related to Finished Floor Elevation (FFE) Provisions for Flood Hazard Reduction.

The Sumner County Regional Planning Commission forwarded a POSITIVE recommendation related to this item on April 25, 2023.

The public is invited to attend and opportunity for public comment will be provided. A copy of the proposed revisions is available for review at the Sumner County Development Services Department during regular business hours and is available on the Development Services Department's website.

A copy of this notice is on file at the Sumner County Development Services Department in the Sumner County Administration Building located at 355 North Belvedere Drive, Room 202 Gallatin, TN, 37066.

Anyone having any interest or desiring to ask questions concerning this item is invited to attend this meeting or call 615-451-6097.

**PLANNING COMMISSION RESOLUTION 2023-01**

**A RESOLUTION OF THE SUMNER COUNTY REGIONAL PLANNING COMMISSION RELATED TO AMENDMENTS TO REQUIREMENTS CONTAINED AT CHAPTER 4, SECTION 404 OF THE COUNTY ZONING RESOLUTION RELATED TO VARIABLE LOT SIZES IN THE RURAL RESIDENTIAL DISTRICT**

**Whereas**, Sumner County is authorized to adopt, implement, and enforce Zoning Regulations by Title 13, Chapter 7 of the Tennessee Code Annotated; and

**Whereas**, Sumner County has the right from time to time to amend its Zoning Resolution provided that adequate public notice is provided and a public hearing is held; and

**Whereas**, State law requires that the Regional Planning Commission must first consider any proposed amendments to the County's Zoning Resolution and Official Zoning Map prior to their being considered by the Board of County Commissioners; and

**Whereas**, a public hearing related to the proposed revisions was scheduled to be held on April 25, 2023, and public notice of the same was provided in the Gallatin News and Hendersonville Standard on April 13, 2023; and

**Whereas**, said public hearing was provided during the regularly scheduled Sumner County Regional Planning Commission meeting held April 25, 2023;

**NOW, THEREFORE, BE IT RESOLVED BY THE SUMNER COUNTY REGIONAL PLANNING COMMISSION THAT:**

The Sumner County Zoning Resolution should be amended in accordance with the document attached hereto and labeled as "Exhibit A"; and

**BE IT FURTHER RESOLVED THAT:**

The Sumner County Regional Planning Commission hereby recommends that the attached amendments to the Sumner County Zoning Resolution and Official Zoning Map should take effect immediately following their adoption by the Sumner County Commission, the public health and welfare requiring it.

Recommended and forwarded to the Sumner County Board of Commissioners this 25<sup>th</sup> day of April, 2023.

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Luther Bratton, Chairman

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Josh Suddath, Secretary

Any use or structure not specifically permitted by right or special exception as presented in the Land Use Activity Table in Appendix B is prohibited.

The use of a mobile home or similar structure as an office, storage space, retail space, or in any other nonresidential manner is expressly prohibited unless permitted as a temporary use in Chapter 11. The County Board of Zoning Appeals shall hereby be expressly prohibited from the granting of variances related to this use requirement in all Residential Districts.

#### 404 Bulk, Yard, and Density Regulations

The regulations appearing below apply to zone lots and buildings or other structures located on any zone lot or portion of a zone lot including all new developments, enlargements, extensions, or conversions. All barns, sheds, silos, or other buildings used exclusively for agricultural purposes shall be exempt from these regulations. Existing buildings or other structures which do not comply with one or more of the applicable bulk regulations are classified as nonconforming and subject to the provisions of Chapter 13.

Table 1. Residential Districts – Bulk Regulations

Zoning District	Minimum Lot Area	Minimum Lot Width at Building Line	Minimum Building Setbacks	Maximum Height	Maximum Lot Coverage
AR – Agricultural Reserve	653,400 sq. ft. (15 acres)	Residential - 200 ft. Other Uses - 300 ft.	Front - 75 ft.* Rear - 30 ft. Side - 20 ft.	35 ft.	Residential - 20% Other Uses - 50%
RR - Rural Residential	40,000 sq. ft.	Residential - 100 ft. Other Uses - 150 ft.	Front - 40 ft.* Rear - 30 ft. Side - 20 ft.	35 ft.	Residential - 20% Other Uses - 50%
SR - Suburban Residential	20,000 sq. ft.; Other Uses - 40,000 sq. ft.	Residential - 75 ft. Other Uses - 150 ft.	Front - 40 ft.* Rear - 20 ft. Side - 10 ft.	35 ft.	Residential - 25% Other Uses - 50%
MHC Mobile Home Community	5 acres (7 D.U's Per Acre Maximum)	250 ft.	Front - 75 ft.* Rear - 50 ft. Side - 50 ft.	15 ft.	40%

\*Lots fronting Arterial and Collector Streets as depicted in the Sumner County Major Thoroughfare Plan shall increase depicted front yard setbacks by 25 feet and 10 feet respectively.

##### A. Variable Lot Size and Adequate Infrastructure in the RR Zone

- ~~Lots served by a public water system and a public sanitary sewer system with sufficient capacity as determined by the water and sewer provider, shall have a minimum lot area of not less than 21,780 square feet (1/2 acre).~~
- In the event water service is either not available or does not meet minimum requirements as determined by the water provider, lot sizes may not be less than ~~80,000 square feet~~ 5 acres, or 217,800 square feet.

**PLANNING COMMISSION RESOLUTION 2023-02**

PLANNING COMMISSION RESOLUTION 2023-02: A RESOLUTION RECOMMENDING APPROVAL OF AMENDMENTS TO CHAPTER 10 SECTION 1005 OF THE SUMNER COUNTY ZONING RESOLUTION RELATED TO FINISHED FLOOR ELEVATION PROVISIONS FOR FLOOD HAZARD REDUCTION.

**Whereas**, Sumner County is authorized to adopt, implement, and enforce Zoning Regulations by Title 13, Chapter 7 of the Tennessee Code Annotated; and

**Whereas**, Sumner County has the right from time to time to amend its Zoning Resolution provided that adequate public notice is provided and a public hearing is held; and

**Whereas**, State law requires that the Regional Planning Commission must first consider any proposed amendments to the County's Zoning Resolution prior to their being considered by the Board of County Commissioners; and

**Whereas**, the County wishes to implement and enforce effective and common sense regulations that will help to protect the lives and property of current and future County residents from flooding; and

**Whereas**, Sumner County participates in the National Flood Insurance Program; and

**Whereas**, the requirements of the NFIP stipulate that that all new construction within Zone AE must be elevated one (1) foot above the Base Flood Elevation; and

**Whereas**, this elevation requirement is the absolute minimum allowed by FEMA and the NFIP; and

**Whereas**, the County wishes to exceed this minimum by adopting a requirement that all new construction within Zone AE must be elevated three (3) feet above the Base Flood Elevation; and

**Whereas**, a public hearing related to the proposed revisions was scheduled to be held on April 25, 2023, and public notice of the same was provided in the Gallatin News and Hendersonville Standard on April 13, 2023; and

**Whereas**, said public hearing was provided during the regularly scheduled Sumner County Regional Planning Commission meeting held April 25, 2023;

**NOW, THEREFORE, BE IT RESOLVED BY THE SUMNER COUNTY REGIONAL PLANNING COMMISSION THAT IT IS HEREBY RECOMMENDED THAT:**

Relevant wording from Chapter 10 Section 1005 of the County Zoning Resolution is hereby repealed and replaced with the document attached hereto and labeled as "Exhibit A".

**AND BE IT FURTHER RESOLVED THAT IT IS HEREBY RECOMMENDED THAT:**

These amendments to Chapter 10 of the County Zoning Resolution shall take effect immediately, the public health and welfare requiring it.

Adopted this 25<sup>th</sup> day of April, 2023.



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Luther Bratton, Chairman

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Josh Suddath, Secretary



14. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction; and
15. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple base flood elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest base flood elevation.

B. Specific Standards

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Section 1005, Subsection A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than ~~one (1) foot~~ **three (3) feet** above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures."

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in this Chapter). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or flood-proofed to no lower than ~~one (1) foot~~ **three (3) feet** above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

**ITEMS TO BE PLACED  
ON THE  
LEGISLATIVE COMMITTEE AGENDA**

**DATE OF MEETING:** June 12, 2023

**TO:** Eric Sitler

**FROM:** Development Services Department

**SUBJECT:** SOMERSET DOWNS, PHASE 7, LOT 106 – PUD MAJOR PLAN  
AMENDMENT  
(First Reading)

**SOMERSET DOWNS, PHASE 7, LOT 106 – PUD MAJOR PLAN AMENDMENT –**  
**Shular Tennessee Holdings, represented by GreenLID – 24th Commission Voting District**  
**(Chrissi S. Miller)** – Applicant is seeking a Major Plan Amendment of an existing PUD, for the  
purpose of creating 5 buildable lots. Subject property is located at 1010 Luxborough Drive, is  
Tax Map 123J, Group E, Parcel 037.00, contains 3.92 acres and is zoned Planned Unit  
Development (PUD).

The Sumner County Regional Planning Commission forwarded a POSITIVE recommendation  
related to this item on May 23, 2023

CC: Commissioner Jeremy Mansfield  
Jennifer Mitchell  
Ramona Thackxton

## PUBLIC NOTICE

THE SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS WILL HOLD A PUBLIC HEARING ON **JULY 17, 2023 AT 7:00 P. M.** IN THE BETHEL BROWN COMMISSION CHAMBERS OF THE SUMNER COUNTY ADMINISTRATION BUILDING, LOCATED AT 355 NORTH BELVEDERE DRIVE, GALLATIN, TENNESSEE

**SOMERSET DOWNS, PHASE 7, LOT 106 – PUD MAJOR PLAN AMENDMENT** – Shular Tennessee Holdings, represented by GreenLID – 24th Commission Voting District (Chrissi S. Miller) – Applicant is seeking a Major Plan Amendment of an existing PUD, for the purpose of creating 5 buildable lots. Subject property is located at **1010 Luxborough Drive**, is Tax Map 123J, Group E, Parcel 037.00, contains 3.92 acres and is zoned Planned Unit Development (PUD).

The Sumner County Regional Planning Commission forwarded a POSITIVE recommendation related to this item on May 23, 2023.

A COPY OF THIS NOTICE IS ON FILE AT THE SUMNER COUNTY DEVELOPMENT SERVICES DEPARTMENT IN THE SUMNER COUNTY ADMINISTRATION BUILDING LOCATED AT 355 NORTH BELVEDERE DRIVE, GALLATIN, TENNESSEE. ANYONE HAVING ANY INTEREST OR DESIRING TO SPEAK CONCERNING THIS REQUEST IS INVITED TO ATTEND THIS MEETING OR CALL 615-451-6097. PERSONS WISHING TO SPEAK ON AGENDA ITEMS SHALL SIGN UP FOR PUBLIC COMMENT ON THE SHEET PROVIDED AT THE MEETING IMMEDIATELY PRIOR TO THE COMMENCEMENT OF THE MEETING.



**ITEMS TO BE PLACED  
ON THE  
LEGISLATIVE COMMITTEE AGENDA**

**DATE OF MEETING:** June 12, 2023

**TO:** Eric Sitler

**FROM:** Development Services Department

**SUBJECT:** **PC Resolution 2023-01 and PC Resolution 2023-02**  
(Second Reading)

**PC Resolution 2023-01:** Amending requirements at Chapter 4, Section 404 of the County Zoning Resolution related to Variable Lot Sizes.

**PC Resolution 2023-02:** Amending requirements at Chapter 10, Section 1005 of the County Zoning Resolution related to Finished Floor Elevation (FFE) Provisions for Flood Hazard Reduction.

The Sumner County Regional Planning Commission forwarded a POSITIVE recommendation related to this item on April 25, 2023.

CC: Commissioner Jeremy Mansfield  
Jennifer Mitchell  
Ramona Thackxton